

PROB 12C
(7/93)

United States District Court
for
District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jeffrey Herbert

Docket Number: 09-00438-001
PACTS Number: 57647

Name of Sentencing Judicial Officer: HONORABLE LAWRENCE E. KAHN
UNITED STATES DISTRICT JUDGE

Name of Assigned Judicial Officer: HONORABLE FAITH S. HOCHBERG
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 06/10/2010

Original Offense: Ct. 1: Failure to Update Sex Offender Registration, 18 U.S.C. § 2250(a)
Ct. 2: Larceny from a Credit Union, 18 U.S.C. § 2113(b)

Original Sentence: Ct. 1: 15 months imprisonment; Life term of supervised release.
Ct. 2: 12 months imprisonment; 1 year of supervised release. Sentence to run concurrent with Ct. 1.

Special Conditions: No contact with persons under the age of 18 unless it is supervised by a person approved of by the probation officer; not to be in any area where persons under the age of 18 are likely to congregate, such as school grounds, child care centers, playgrounds, without the permission of the probation officer; register with the state sex offender registry agency; participate in a mental health program which shall be approved by the U. S. Probation Office; polygraph testing; refrain from the use of alcohol while on supervision; and participate in substance abuse testing. Offender must contribute to the cost of any treatment, based on ability to pay. Restitution of \$694.50.

Type of Supervision: supervised release

Date Supervision Commenced: 09/03/10

Assistant U.S. Attorney: Thomas Spina Jr. & Edward P. Gogan, 445 Broadway, Room 231, Albany, New York 12207 (518) 431- 0247

Defense Attorney: Timothy E. Austin (AFPD), 39 North Pearl Street, 5th Floor, Albany, New York 12207 (518) 436-1850

PETITIONING THE COURT

- [] To issue a warrant
[X] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

The offender has violated the special supervision condition which states 'You shall undergo treatment in a mental health program approved by the United States Probation Office until discharged by the Court. As necessary, said treatment may also encompass treatment for gambling, domestic violence and/or anger management, as approved by the United States Probation Office, until discharged by the Court. The Probation Officer shall supervise your compliance with this condition.'

The offender refuses to attend sex offender treatment, although the undersigned has attempted to refer him for such services based on his special condition, charge of conviction (Failure to Update Sex Offender Registration), and the fact that he is a registered and convicted sex offender (convicted of Rape 3rd Degree-two felony counts in 1997).

I declare under penalty of perjury that the foregoing is true and correct.

Susan E. Karlak
By: Susan E. Karlak
Senior U.S. Probation Officer
Date: 3/29/11 713

THE COURT ORDERS:

- The Issuance of a Warrant
 The Issuance of a Summons. Date of Hearing: 4/10/11 @ 10:00AM.
 No Action
 Other

Jeffrey Herbert
Signature of Judicial Office

4/5/2011
Date